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INTERVIEW SUMMARY**Task Order 0001 Site 2*****Lower Darby Creek Area***

Richard Heller

Prepared for:

U.S. Environmental Protection Agency**Region 3**

Enforcement Support Services

Hazardous Site Cleanup Division

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Prepared by:

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Work Assignment Number:

Date Submitted:

Contract Number:

EPA Work Assignment Manager:

Telephone Number:

Chenega Project Manager:

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Interviewer:

Task Order 0001 Site 2

December 1, 2005

EP-S3-04-01

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Name: Richard Heller ("WITNESS")
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Affiliation: Former Operator of the Clearview Landfill

Telephone: (610) 566-0191 (Law Office)

Type of Interview: In-Person

Date of Interview: November 17, 2005

On November 17, 2005, the WITNESS was interviewed at his attorney's office at the above address by Michael McCloskey, Senior Investigator, of Tri-State Enterprise. The WITNESS was interviewed as part of the Potentially Responsible Party search currently being conducted under Task 0001 Site 2 the Lower Darby Creek Area Site in Delaware County, Pennsylvania (the "Site."). This interview focused on the Clearview Landfill (the "Site.") The WITNESS was provided with a copy of the letter of introduction, advised of the nature of the questions to be asked and that the interview was voluntary. The WITNESS was represented by his attorney, Michael P. Pierce of the law firm Pierce & Hughes. The interview was not tape-recorded. The following individuals were also present during this interview:

- Carlyn Winter Prisk: Investigator, United States Environmental Protection Agency (US EPA), Region 3.
- Bonnie Pugh Winkler: Senior Assistant Regional Council, US EPA Region 3.
- Kristine Matzko: Remedial Project Manager, US EPA Region 3.

During the course of this interview, the WITNESS responded to questions based on guidelines provided by the US EPA for former owner/operators.

The WITNESS was shown an aerial photograph of the Site. This aerial photograph was used as a reference throughout the interview. The aerial photograph used during this interview will be forwarded under separate cover.

The WITNESS was asked to explain his association with the Clearview Landfill. The WITNESS stated that the landfill was owned by the Clearview Land Development Corporation. He further stated that his father formed this corporation, and he believed his mother was the principal officer and shareholder of the corporation.

The WITNESS stated that the Clearview Landfill was operated as a landfill from approximately 1956 to 1974. The WITNESS stated that the landfill was closed in 1974 and did not receive waste after 1974.

When shown the aerial photograph of the Clearview Landfill, the WITNESS pointed out an area at the northwest corner of the landfill and stated that a company known as Trinity Paving Company operated a landfill at this location, and may have also owned the property in this section of the landfill. When asked the time period during which this landfill was in operation, the WITNESS stated that he does not recall the specific dates. However, he indicated that this landfill was in operation prior to 1974. The WITNESS stated that he does not know the names of the owners or operators of this landfill.

When asked when he worked at the Clearview Landfill, the WITNESS could not initially recall when he started working for the landfill. During the course of the interview, the WITNESS recalled starting at the landfill in approximately 1960 and indicated that he was still working at the Clearview Landfill when it closed in 1974.

When asked the names of other employees that worked at the landfill and their current whereabouts, the WITNESS provided the following:

- Ed Shaugnassey: Deceased
- Tim Shaugnassey: Deceased
- Bill Soper: Believed to be living in New Jersey
- Ralph Smith: Unknown
- Ed Wright: Unknown
- Lester Smith: Unknown

When asked to explain his duties at the landfill, the WITNESS stated that he sent out all billing and collected receipts or cash from transporters of waste at the entrance to the landfill.

When asked where the entrance to the landfill was located, the WITNESS stated that over the years he was employed at the landfill, there were two primary entrances. The first entrance was off of 83rd Street. The WITNESS stated that he sat in a truck trailer at this location while trucks entered the landfill. The WITNESS stated that the entrance was later located off of 80th Street, and he used a bus as the office for this entrance. The WITNESS did not provide the dates when each entrance was used. (The WITNESS identified the locations of these entrances on the enclosed aerial photograph, and these locations were marked according to his identification.)

The WITNESS stated that as a truck entered the landfill, the truck would stop at the entrance, and he would collect cash or receive a slip from the company for billing at the end of the month. The WITNESS stated that the landfill operated on a twenty-four hour day most of the time, and other collectors at the entrance included Ralph Smith and Ed Wright.

When asked if Ted Peurifoy worked at the landfill, the WITNESS stated "no." The WITNESS stated that Peurifoy "hung around" and sometimes scraped out metal that could be resold.

When asked the location of any of the records relating to billing, the WITNESS stated that he did not know.

The WITNESS was asked to identify the names of the transporters that disposed of waste at the Clearview Landfill. The WITNESS was also asked to identify the types of waste from each transporter. The WITNESS stated that he does not know the types of waste most of the transporters disposed at the landfill. The WITNESS provided the following information:

- City of Philadelphia: The WITNESS stated that his father, Ed, had obtained a contract with the City of Philadelphia for it to dispose of all city waste at the landfill. The WITNESS stated that his father's contacts with the City of Philadelphia were Bob Doyle and Dave Smallwood. The WITNESS stated that Smallwood was the Philadelphia Streets Commissioner at the time. The WITNESS stated that the landfill accepted waste from Philadelphia for approximately six years up until the time the landfill closed. The WITNESS stated that the City of Philadelphia operated numerous trash trucks and described the city trucks as 10-cubic yard to 25-cubic yard compactor trucks. The WITNESS stated that approximately 45 to 100 city compactor trucks entered the landfill each day, five days each week. The WITNESS stated that he does not know the types of waste transported to the landfill by the city. When asked if the city transported ash to the landfill, the WITNESS stated that he does not know. When asked to explain how the city paid the landfill, the WITNESS stated that each truck handed him a green ticket and that at the end of the month, the city was billed based on the number of tickets collected each month. The WITNESS stated that the tickets were returned to the city when the bill from Clearview Landfill was sent out.
- Ed Lawrenson: The WITNESS stated that Lawrenson operated approximately 15 trucks which were sold to Waste Management. The WITNESS did not offer when Lawrenson sold to Waste Management. The WITNESS did not know what types of waste Lawrenson transported to the Clearview Landfill or the names of any of the customers of Lawrenson.
- Ray Lawrenson: The WITNESS stated that Ray Lawrenson is the brother of Ed and operated one truck. The WITNESS did not know the names of any customers of Ray Lawrenson or the types of waste he disposed at the landfill.
- Bill Cook: The WITNESS stated that Cook operated an unknown number of trash compactor trucks. He did not know the names of any customers or the types of waste that Cook disposed of at the Clearview Landfill.
- "Cookies" Cook: The WITNESS stated that Cookies was Bill Cook's brother and also operated an unknown number of compactor trucks. The WITNESS had no further information about Cookies.
- William Escher: The WITNESS stated that Escher operated approximately 8 to 10 compactor trucks. The WITNESS stated that he does not know the names of any of his customers or the types of waste that Escher disposed at the Clearview Landfill.

- Bennie's Hauling: The WITNESS stated that Bennie's was owned by Leonard Frebowicz. The WITNESS did not have any further information regarding this company.
- Dave Dintz T/A Dintz Hauling: The WITNESS had no further information about this company.
- Ace: The WITNESS stated that Ace disposed of waste at the landfill. The WITNESS had no further information about Ace.
- Vince Carrossela: The WITNESS stated that Carrossela operated approximately three to four roll-off trucks and one to two dumpster trucks. The WITNESS stated that Carrossela sold to Waste Management. The WITNESS had no further information.
- Charles Crumly: The WITNESS stated that Crumly operated open trucks and compactor trucks. He was unable to provide any further information.
- Jack and Billy Schaeffer: The WITNESS stated that the Schaeffer brothers operated a few trucks. He did not provide any further information.
- Pat Bizzari: The WITNESS stated that his father told him that Bizzari could dump anything he wanted at the Clearview Landfill. The WITNESS stated that Bizzari was charged \$50.00 each month as a flat fee regardless of how often he disposed of waste at the landfill. The Witness was unable to provide information about the names of customers or the types of waste that Bizzari disposed at the landfill.
- William Adams and Sons: The WITNESS stated that the son's name is Ronnie. The WITNESS stated that Adams operated open trucks and some lugger trucks. The WITNESS was unable to provide any further information.
- Robert McCann: McCann operated open trucks and compactor trucks. The WITNESS had no further information.
- Al Gonnelli: Gonnelli disposed of waste at the Clearview Landfill. The WITNESS provided no further information.

The WITNESS was asked if he was aware of any ash disposed at the landfill. The WITNESS stated "yes." The WITNESS stated that Clearview Landfill operated a tepee type incinerator on the landfill Site from approximately 1956 to 1960. The WITNESS described the incinerator as 50 feet in circumference tapering to 20 feet. The WITNESS stated that trash was burned in the incinerator, and the ash was buried on the Clearview Landfill. (The WITNESS identified the location of the incinerator on the enclosed aerial photograph.)

The WITNESS stated that ash was buried on the landfill in the early 1950s. He does not know from where the ash was transported. He identified the burial site of the ash on the enclosed aerial photograph.

The WITNESS stated that his father obtained the contract to pick up ash from the Delaware County incinerator. The WITNESS stated that this contract had been held by Tri-County Hauling and that his father was happy that he could obtain the contract from Tri-County. The WITNESS stated that this ash was disposed at the Clearview Landfill during the time his father had the contract. The WITNESS stated that his father kept this contract for approximately one to two years.

The WITNESS was asked if was aware of any drum waste disposed at the Clearview Landfill. The WITNESS stated that he recalls an old man, he could not recall his name; bring in six to 10 55-gallon steel drums from time to time. The WITNESS stated that he believes these drums contained ink from either the Philadelphia Inquirer or the Philadelphia Bulletin. The WITNESS stated that the old man would dump the contents of the drums in the fill area that was in use at the time. The WITNESS stated that the old man would keep the drums. The WITNESS was unable to recall how often this individual disposed of the ink at the Clearview Landfill.

When asked if any tanker trucks disposed of liquid waste at the Clearview Landfill, the WITNESS stated that he recalls a tanker truck coming in from time to time with a spraying apparatus on the back of the truck. The WITNESS stated that this individual would spray a liquid in the dirt roadway to keep the dust down. The WITNESS does not know the name of the driver or company for this tanker truck.

When asked if any generator companies transported their waste to Clearview, the WITNESS provided the following.

- General Electric: The WITNESS stated that General Electric operated an open truck and transported metal items. When asked if these metal items could have been electrical transformers, the WITNESS stated "yes."
- ITE: The WITNESS stated that this company also operated an open truck and indicated that the waste included metal parts which could have been electrical transformers.

The WITNESS was asked if he had any knowledge of the following generators and transporters disposing of waste at the Clearview Landfill:

- Schiavo Brothers: The WITNESS stated that the Schiavo Brothers transported waste to Clearview Landfill after the Schiavo Landfill closed. He indicated that Schiavo continued to transport waste to the landfill until the landfill closed.
- MAB Paints: The WITNESS stated that they could have transported waste, but he could not recall any specific information.
- Eastern Industrial: The WITNESS stated that Eastern may have disposed of waste at the landfill, but he could not recall any specific information.

- Philadelphia Navy Yard: The WITNESS did not know.
- Barrett Roofing: The WITNESS did not know.
- Maritime Waste: The WITNESS did not know.
- General Chemical: The WITNESS did not know.
- Rohm & Haas: The WITNESS did not know.
- Allied Signal: The WITNESS did not know.

The WITNESS was asked if any demolition companies disposed of waste at Clearview Landfill. The WITNESS provided the following:

- Cleveland Wrecking: The WITNESS stated that this company disposed of waste at the landfill. He had no further information.
- Hawthorn Demolition Company: the WITNESS stated that Hawthorn also disposed of waste at the landfill. He was unable to provide any further information.

The WITNESS was asked if he recalls a truck fire on the landfill, which resulted in the death of a truck driver. The WITNESS stated "yes" and indicated that he does not know what the truck was disposing. He stated that the truck itself was made of magnesium, and the fire started at some point during the unloading of the truck.

When asked if there were any areas set aside to bury liquid waste or drum waste, the WITNESS stated "no." The WITNESS stated that waste was buried all over the landfill and that pits were dug and used for a few months at a time, then the location of the fill area was changed. The location of fill areas was determined on a daily basis by the bulldozer operator.

The WITNESS indicated that a crane was used to dig into the ground, and at some locations on the landfill, the area could be 20 feet deep. The WITNESS stated that the closer the fill area got to Darby Creek, the more shallow the fill area was. He indicated that in some areas close to the creek, the water was reached at two feet.

"I declare under penalty of perjury that the foregoing is true and correct."

Executed on _____
(Date)

Signed _____
(Name)

Interviewer's Comments and Suggested Follow-Up Interviews

Interviewer Comments: The WITNESS was somewhat cooperative. He seemed to be willing to divulge the names of the transporters but was unwilling to identify the names of many generators.

The WITNESS agreed to tell Ted Peurifoy to talk to me.

The WITNESS was not asked if he wanted his name kept confidential to the extent possible.

Suggested Follow-up Interviews:

- Lester Smith
- Charles Smith
- Jim McGee
- Ed Wright
- Dave Smallwood
- Bob Doyle
- Ralph Smith
- David Dintz
- Bill Cook
- Vince Carrossel
- Pat Bizzari or Son
- Al Gonnelli
- Ronnie Adams
- Robert McCann

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- ☐ 104(e) Responses

REMEDIAL ENFORCEMENT IMPLEMENTATION

4a NEGOTIATIONS/SETTLEMENTS

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- ☐ Follow-up 104(e) Letters
- ☐ 104(e) Responses re: *De Minimis* Settlement

REMOVAL ENFORCEMENT PLANNING

7c CORRESPONDENCE BY PRP

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- ☐ 104(e) Responses

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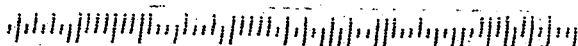
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